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JAN 31 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

GILLESPIE

Atty. Ref.: 3782-3

Serial No. 09/833,654

Group: 2167

Filed: 13 April 2001

Examiner:

For: METHOD AND SYSTEM FOR PROTECTING CREDIT  
CARD TRANSACTIONS

\* \* \* \* \*

January 31, 2005

BY FACSIMILE

**URGENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Randolph A. Reese  
Special Programs Examiner  
Patent Technology Center 3600

**RENEWED PETITION TO WITHDRAW AS COUNSEL**

In response to the USPTO's 1/26/05 Decision on Request for Withdrawal of Attorney of Record, the undersigned and the undersigned's law firm hereby renew their Petition to Withdraw and supplement their previously-stated reasons for withdrawal as follows:

(a) the applicant has ceased communicating with the undersigned or his law firm by failing to respond to letters and inquiries for several years, and accordingly, it is unreasonably difficult for the practitioner to carry out the employment effectively (see Rule 10.40(c)(1)(iv)); and

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(b) the applicant has failed to pay the undersigned's law firms' outstanding invoices including invoice no. 335341 dated 8/31/01 and a portion of invoice no. 322926 dated 4/30/01 and accordingly has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time (see Rule 10.40(c)(1)(vi)).

Furthermore, based on public PALM system information, the applicant has apparently retained new counsel, namely Allan Chan Reg. No. 50528 140 Broadway 46<sup>th</sup> Floor New York New York 10005 to represent him in this case and accordingly will not be prejudiced in any way by the undersigned's withdrawal.

The undersigned originally filed withdrawal papers in this case nearly three years ago on 2/8/2002 (see attached filing and postcard) but the PTO apparently lost or ignored those papers. The undersigned filed a further set of withdrawal papers in this case on 4/19/04 (see attached filing and postcard) but the PTO apparently lost or ignored those papers as well. The undersigned resubmitted the previous set of withdrawal papers on 21 July 2004 – apparently this is the request the USPTO acted upon under the recently revised withdrawal Rule 10.40. In view of the USPTO's unreasonable delay in acting on the undersigned's request to withdraw, the undersigned respectfully requests the USPTO to act immediately on and grant this renewed Petition. Should the PTO require any additional information, the PTO is directed and requested to contact the undersigned at the telephone number listed below.

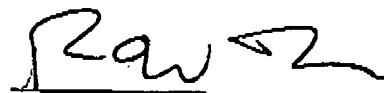
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The undersigned is signing this renewed request on his own behalf and on the behalf of all other Nixon & Vanderhye P.C. counsel of record.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Robert W. Faris

Reg. No. 31,352

RWF:ejc

1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714

Telephone: (703) 816-4000  
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cc: Allan Chan  
140 Broadway 46<sup>th</sup> Floor  
New York, NY 10005

NIXON &amp; VANDERHYE PC4 Fax: 703-816-4100

Jul 21 2004 15:13

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JAN 31 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED****CENTRAL FAX CENTER****JUL 21 2004**

In re Patent Application of

GILLESPIE

Serial No. 09/833,654

Filed: 13 April 2001

Atty. Ref.: 3782-3

Group: 3607

Examiner:

For: METHOD AND SYSTEM FOR PROTECTING CREDIT  
CARD TRANSACTIONS**OFFICIAL**\*\*\*\*\*  
February 8, 2002Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**PETITION TO WITHDRAW AS COUNSEL**

Pursuant to 37 CFR 1.36, the undersigned attorney requests on his behalf, and on the behalf of the other attorneys mentioned in the Power of Attorney, namely Larry S. Nixon, 25640; Arthur R. Crawford, 25327; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097; Gary T. Tanigawa, 43180, to

NIXON &amp; VANDERHYE PC4 Fax:703-816-4100

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withdraw from representation in this application. Robert W. Faris is signing on behalf of each of the other attorneys set forth above.

There is no outstanding Action known in this case.

The present address of the attorneys seeking withdrawal is Nixon & Vanderhye P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, Virginia 22201-4714.

The last known address of the inventor and last known owner of the patent rights is: Kenneth E. Gillespie, a resident of 347 Randall Avenue, Freeport, New York 11520. Change the correspondence address and direct all future correspondence to:

Kenneth E. Gillespie  
347 Randall Avenue  
Freeport, New York 11520

Three originals of this request are enclosed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Rawls

Robert W. Faris  
Reg. No. 31,352

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PAGE 5/12 \* RCVD AT 1/31/2005 11:34:46 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2 \* DNIS:8729306 \* CSID:703 816 4100 \* DURATION (mm:ss):03-54

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